

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/529,657

Filing Date

03/30/2005

First Named Inventor

Peter Joseph AYRE

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

592/8

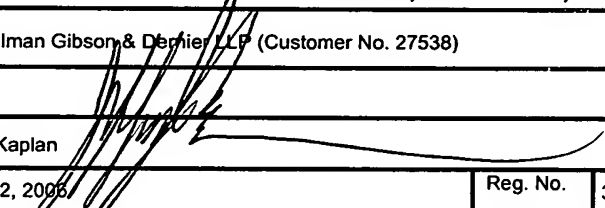
ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
Reply to Notice of Missing Requirements,
Declaration and POA
Credit card form
Notification of Missing Requirements
Transmittal
and return postcard. |
|---|--|--|

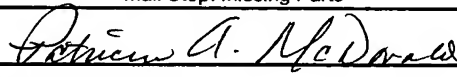
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kaplan Gilman Gibson & Demier LLP (Customer No. 27538)		
Signature			
Printed name	Jeffrey I. Kaplan		
Date	October 12, 2006	Reg. No.	34,356

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Mail Stop: Missing Parts

Signature			
Typed or printed name	Patricia A. McDonald	Date	October 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Peter Joseph AYRE

Application No.: 10/529,657

Group Art Unit: Not Yet Assigned

Filed: September 30, 2003

Examiner: Not Yet Assigned

For: PHYSIOLOGICAL DEMAND RESPONSIVE
CONTROL SYSTEM

Attorney Docket No.:592/8

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop: Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US), mailed September 18, 2006, enclosed herewith is the executed Declaration and Power of Attorney for filing in connection with the above-identified application. Also enclosed is a copy of the Notice of Missing Requirements.

A Credit Card Form in the amount of \$ 130.00 is enclosed to cover the required fee for this response. In the event there are any further fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

Dated: October 12, 2006

Respectfully submitted,

By: 

Jeffrey I. Kaplan

Registration No.: 34,356

KAPLAN GILMAN GIBSON & DERNIER LLP

900 Route 9 North

Woodbridge, New Jersey 07095

Telephone (732) 634-7634

Attorneys for Applicant

10/23/2006 GFREY1 00000121 10529657

01 FC:1617

130.00 00

F:\Form\Patent\Reply to NOMP.doc

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 12, 2006

Signature: 

Print Name:

Patricia A. McDonald

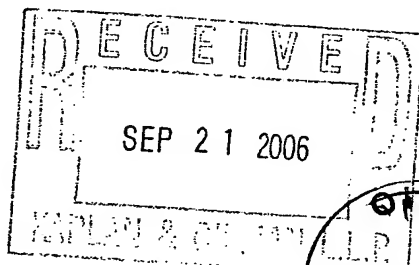


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/529,657	FIRST NAMED APPLICANT Peter Joseph Ayre	ATTY. DOCKET NO. 592/8
---	--	---------------------------

Jeffrey I Kaplan
Kaplan & Gilman
900 Route 9 North
Woodbridge, NJ 07095



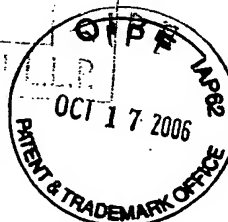
INTERNATIONAL APPLICATION NO. PCT/AU03/01281	
I.A. FILING DATE 09/30/2003	PRIORITY DATE 09/20/2002

CONFIRMATION NO. 1649

371 FORMALITIES LETTER



OC000000020470067

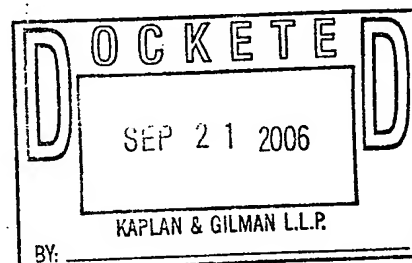


Date Mailed: 09/18/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/30/2005
- Copy of the International Search Report filed on 03/30/2005
- Copy of IPE Report filed on 03/30/2005
- Preliminary Amendments filed on 03/30/2005
- Information Disclosure Statements filed on 03/30/2005
- Request for Immediate Examination filed on 03/30/2005
- U.S. Basic National Fees filed on 03/30/2005
- Priority Documents filed on 03/30/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,657	PCT/AU03/01281	592/8

FORM PCT/DO/EO/905 (371 Formalities Notice)